# **Weighted Standards and Enforcement Process**

After being legislatively mandated to complete a standards alignment process as part of the Early Start Act, DEL decided to go a step further and weight our licensing standards.

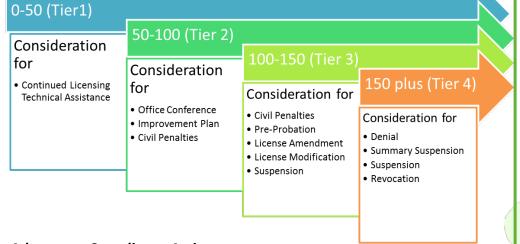
## **Goals of Enforcement Project:**

- Provide the greatest level of protection for children
- Establish a common understanding of risk
- Help identify and address trends, disparities and risk to children more effectively and efficiently
- Support consistency of actions taken for similar compliance history
- Clarify the connection between not complying with a regulation and the consequences

#### **Proposed Single Finding Scores/Enforcement Actions** 1 2 3 4 5 6 7 8 **Extremely** Medium Medium Extremely High Low Low High High Low Technical Technical Technical Technical Technical Denial Assistance Assistance Assistance Assistance Assistance Summary

- On 4+ Repeat
  - violations: Civil Penalty
- On 3+ Repeat •
  violations:
  Civil Penalty
- Office
   Conference
- On 2+ Repeat violations:
  Civil Penalty
- Safety Plan
- On 1+ violation: Civil Penalty
- Pre-probation
- License
   Modification
- Suspension

**Proposed Overall License Score/Enforcement Actions** 



**Adverse vs. Compliance Actions:** 

Adverse actions are limited to: denial, suspension, revocation, or modification of a license, or civil penalties. These actions can be appealed in the Office of Administrative Hearings. All other licensing actions fall under Compliance Actions, and can be appealed via the Supervisory Review Process.



The first chart (above) represents the licensing scoring system which provides a score based on a provider's compliance during an annual monitoring visit.

Suspension

Suspension

Revocation

The second chart (*left*) represents the licensing scoring system which provides a score based on a provider's compliances history over the previous three calendar years.

Together, these make up the scoring system of the new weighted rules enforcement approach.

Learn more about DEL's standards alignment process by visiting www.del.wa.gov/government/standards-alignment

# **Licensing Actions and Review Process**

Bringing consistency and better response times to the supervisory review process. We hope to have the new process in place by spring 2017.

## **Current Supervisory Review Process**

### Step 2 Step 6 Step 5 Step 1 Step 3 Step 4 **Provider requests** Supervisor of **Licensing Regional** Statewide **Provider requests Provider requests** supervisory review provider's licensor Licensing second review of Administrator third review of conducts review of of compliance compliance finding (supervisor of the compliance finding Administrator compliance finding finding - 10 days (supervisor of the - 10 days supervisor in Step - 10 days Regional Admin. in and notifies 2) conducts review provider of Step 4) conducts of compliance decision to reverse finding and notifies review of or uphold compliance finding provider of 15 days and notifies decision to reverse provider of or uphold -A shorter, 15 days decision to reverse more efficient, or uphold. This is consistent, and the final review. -**Revised Supervisory Review Process** equitable process 15 days

# Step 1

**Provider requests** supervisory review of compliance finding – 10 days

# Step 2

Supervisor of provider's licensor conducts review of compliance finding and notifies provider of decision to reverse or uphold - 10 days

# Step 3

**Provider requests** second review of compliance finding - 10 days

# Step 4

Supervisory review panel conducts review of compliance finding and notifies provider of decision to reverse or uphold. This is the final review - 45 days

### Why have a Supervisory Review Process?

The supervisory review process is intended to give providers an outlet to appeal compliance actions, not adverse licensing actions.

## Who will serve on the supervisory review panel? The supervisory panel will be made up of different

staff from each of the four licensing regions. They will be an ad hoc group, changing monthly.